

**FLEIT, KAIN,  
GIBBONS, GUTMAN,  
BONGINI & BIANCO P.L.**

**ATTORNEYS AT LAW**

**MIAMI • FORT LAUDERDALE • BOCA  
RATON**

**RECEIVED  
CENTRAL FAX CENTER**

**MAR 14 2006**

**551 NW 77TH STREET  
SUITE 111  
BOCA RATON, FLORIDA 33487**

**TELEPHONE: (561) 989-9811  
FACSIMILE : (561) 989-9812**

**JGIUNTA@FOCUSONIP.COM  
WWW.FOCUSONIP.COM**

## **TELECOPIER TRANSMITTAL FORM**

**DATE:** March 14, 2006  
**TO:** Examiner Christian LaForgia  
**FIRM:** USPTO, Group Art Unit 2131  
**FAX #:** (571) 273-8300  
**PHONE:** (571) 272-3792  
**FROM:** Jeffrey Giunta

**TOTAL NUMBER OF PAGES: 25  
(INCLUDING THIS PAGE)**

**IF YOU DO NOT RECEIVE ALL PAGES CLEARLY, PLEASE CONTACT US IMMEDIATELY**

**MESSAGE:**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s): Edith H. STERN et al.**

**Serial No.: 09/497,774**

**For: SYSTEM AND METHOD FOR GROUPING RECIPIENTS OF STREAMING DATA**

**Enclosed are the following:**

Transmittal letter (1 page); Substitute and Replacement Response with Amendment (21 pages); copy of Notice of Non-Compliant Amendment (3 pgs.)

**Docket No.: BC9-99-059**

**120-A99-160**

**March 14, 2006**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of  
 Edith H. STERN, et al.  
 Serial No. 09/497,774  
 Filed: February 3, 2000

: Atty. Docket No. BC9-99-059  
 : Group Art Unit: 2131  
 : Examiner: Christian A. LaForgia  
 : Confirmation No. 7893

For: SYSTEM AND METHOD FOR GROUPING RECIPIENTS OF STREAMING DATA

TRANSMITTAL

**MAIL STOP AMENDMENT**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

SIR:

Transmitted herewith is an amendment in the above-identified application, and the following:

[X] Copy of Notice of Non-Compliant Amendment

[X] No additional filing fee is required.

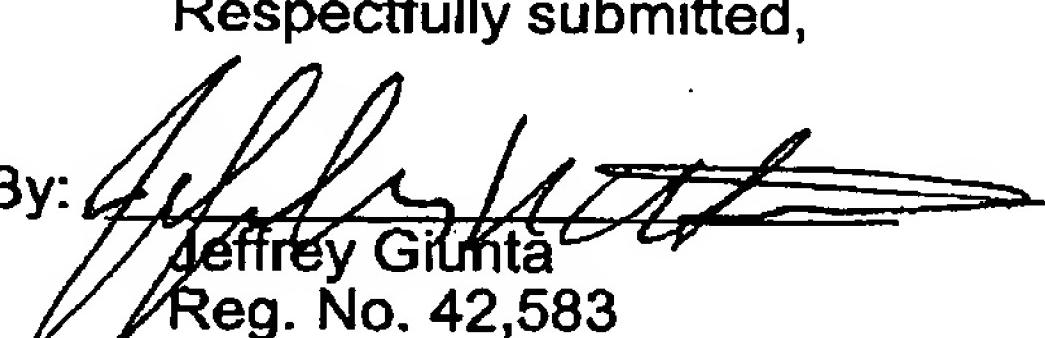
The fee has been calculated as shown below. (*Small entity fees indicated in parentheses.*)

CLAIMS AS AMENDED						
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Claims Remaining After Amendment		Highest Number Previously Paid For	Extra Claims	Rate	Fee
Total Claims <i>(Small Entity)</i>	40	-	47	0	50.00 ( 25.00)	0
Independent claims <i>(Small Entity)</i>	6	-	7	0	200.00 (100.00)	0
Multiple Dependent <i>(Small Entity)</i>	0	-	0	0	360.00 (180.00)	0
Extension of Time Fee <i>(Small Entity)</i>	One Month \$120 (\$60)	Two Months \$450 (\$225)	Three Months \$1020 (\$510)			0
<b>Total</b>						<b>\$0.00</b>

The Commissioner is hereby authorized to charge any required fees to Deposit Account No. 09-0452.

Respectfully submitted,

Date: MARCH 14, 2006

By:   
 Jeffrey Giunta  
 Reg. No. 42,583

Customer No. 23334  
 Fleit, Kain, Gibbons, Gutman, Bongini & Bianco P.L.  
 551 NW 77th Street, Suite 111  
 Boca Raton, Florida 33487  
 Telephone: (561) 989-9811  
 Facsimile : (561) 989-9812

CENTRAL FAX CENTER

MAR 14 2006

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. :	09/497,774	Confirmation No. :	7893
Applicant :	Edith H. STERN et al.		
Filed :	02/03/2000		
Art Unit :	2131		
Examiner :	LAFORGIA, Christian A.		
Docket No. :	BC9-99-059		
Customer No. :	23334		

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

On March 14, 2006  
 Date  
Karen Taragowski Karen Taragowski  
 Name Signature

SUBSTITUTE AND REPLACEMENT RESPONSE WITH AMENDMENT UNDER 37  
C.F.R. § 1.111

VIA FACSIMILE (571) 273-8300

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

ATTENTION: Patent Examiner LAFORGIA, Tel. (571) 272-3792

SIR:

This is in response to the Notice of Non-Compliant amendment dated February 14, 2006, attached hereto, in which the amendment to the claims were not compliant under 37 CFR 1.121, which responded to the Applicants' bona fide attempt to reply to an Office Action on November 10, 2005. This amendment with the following remarks is a substitute and a replacement for the Applicants' Response with Amendment filed on November 10, 2005. Please enter and consider the following amendment and remarks prior to an examination on the merits and calculation of any fees:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 14 of this paper.

**Copy of Notice of Non-Compliant Amendment** is attached.